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Attorney for Plaintiff, James McHugh

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

IT IS HEREBY STIPULATED by and between the parties through their undersigned counsel, subject to the approval of the Court, that Plaintiff's counsel, as Plaintiff's assignee, be awarded attorney fees under the EAJA in the amount of FOUR THOUSAND FIVE HUNDRED DOLLARS AND ZERO CENTS (\$4,500.00). This amount represents compensation for all legal services rendered on behalf of Plaintiff by counsel in connection with this civil action, in accordance with 28 U.S.C. §2412(d).

This stipulation constitutes a compromise settlement of Plaintiff's request for EAJA attorney fees, and does not constitute an admission of liability on part of the

1 Defendant under the EAJA. Payment of the aforementioned sum under the EAJA shall  
2 constitute a complete release from and bar to any and all claims, rights, causes of  
3 action, liens or subrogated interests relating to attorneys fees and costs incurred in this  
4 action under EAJA. Any payment shall be made payable to Plaintiff's counsel as  
5 Plaintiff's assignee and delivered to Plaintiff's counsel. This award is without prejudice  
6 to the rights of Plaintiff's counsel to seek Social Security Act attorney fees under 42  
7 U.S.C. §406, subject to the offset provisions of the EAJA.

8  
9  
10 Dated: October 22, 2008

/s/  
GERI N. KAHN  
Attorney for Plaintiff  
JAMES MCHUGH

13  
14 JOSEPH P. RUSSONIELLO  
United States Attorney

15  
16 Dated: October 22, 2008

/s/  
ERIC K.H. CHINN  
Special Assistant U.S. Attorney

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20 IT IS SO ORDERED.

21  
22 Dated: October 27, 2008

  
HON JAMES LARSON  
Chief Magistrate Judge